



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

OCT 10 2017

CERTIFIED MAIL 7016 1970 0000 8992 3723
RETURN RECEIPT REQUESTED

R-Squared-Puckett, Inc.
c/o Matthew P. McLaughlin
McLaughlin, PC
Post Office Box 2719
Jackson, Mississippi 39207

Re: Supplemental Information Request to R-Squared Puckett, Inc., Pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318

Dear Mr. McLaughlin:

Thank you for your client's correspondence dated June 12, 2017, containing information responding to the May 30, 2017 request by the U.S. Environmental Protection Agency Region 4, pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318, regarding the R-Squared Puckett, Inc. (R-Squared) facility located at 6422 Highway 18, Puckett, Mississippi 39151 (Facility).

The purpose of this letter is to request, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, that R-Squared respond to the enclosed Supplemental Information Request to supplement the information it previously provided. The EPA requests that R-Squared provide the information set forth in Enclosure A within 21 calendar days of your receipt of this letter.

The response should be submitted to:

U.S. Environmental Protection Agency, Region 4
Water Protection Division - NPEB
Attn: Ms. Alenda Johnson
61 Forsyth Street, S.W., Mailcode 9T25
Atlanta, Georgia 30303-8960

All information submitted must be accompanied by the following certification signed by a duly authorized R-Squared official in accordance with 40 C.F.R. § 403.12(l):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to, 33 U.S.C. § 1319 and 18 U.S.C. § 1001.

If R-Squared believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information, except for effluent data. Please see Enclosure B for further details, including how to make a business confidentiality claim.

The EPA appreciates R-Squared's prompt attention to this matter. Should R-Squared have any technical questions regarding this letter, please contact Ms. Alenda Johnson at (404) 562-9761. All other inquiries should be directed to Mr. Nathan Stopper, Associate Regional Counsel, at (404) 562-9581.

Sincerely,



Molly P. Davis, Acting Chief
NPDES Permitting and Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Tim Aultman
Mississippi Department of Environmental Quality

ENCLOSURE A

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the EPA. Should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify the EPA as soon as possible.
7. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question with a written response.
8. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained.
9. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.
10. The EPA requests that all documents provided in an electronic format be compatible with pdf.
11. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.
12. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "EPA" means the U.S. Environmental Protection Agency, Region 4.
5. The term "Facility" means the R-Squared Puckett, Inc. facility located at 6422 Highway 18, Puckett, Mississippi 39151.
6. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
7. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
8. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
9. The term "Permit" means the National Pollutant Discharge Elimination System Permit No. MSP090525, issued by the Mississippi Department of Environmental Quality to R-Squared Puckett, Inc., effective July 1, 2011, with an expiration of June 30, 2016.
10. The terms "You", "Your" and "R-Squared" mean R-Squared Puckett, Inc.
11. The term "AOC" means the October 26, 2016 Administrative Order on Consent between the U.S. Environmental Protection Agency, Region 4 (EPA) and R-Squared regarding the Facility.
12. The term "R-Squared's Narrative" means R-Squared's August 30, 2016 narrative in response to the AOC.

Questions

1. The following questions relate to Question 1(i) in the NOV:

- a. Provide the dates when the below components of R-Squared's October 2004 Wastewater Treatment Plan Operating Procedures went out of service or were no longer used. If R-Squared resumed using such components, provide the date when it did so. If it did not, state so.
 - i. pH adjustment tank T-6;
 - ii. Clarifier #2; and
 - iii. Tank mixers for T-2 and T-4.
 - iv. Piccolo production process;
 - v. Aluminum extrusion machine; and
 - vi. Acid wash
- b. Provide the dates when R-Squared added three wastewater storage tanks and a storm-water storage tank that discharge to its wastewater treatment plant.
- c. State whether R-Squared updated its October 2004 Wastewater Treatment Plan Operating Procedures to include the changes referenced in Questions 1.a. and 1.b, above. If R-Squared did update its operating procedures, provide a copy of the updated Operating Procedures.

2. The following questions relate to Question 2 in the NOV:

- a. Provide the date when the Isco automatic sampler used for collecting effluent samples was damaged. If the sampler was replaced or repaired, provide the date of such replacement or repair.
- b. If R-Squared changed its collection procedures for the samples of oil and grease to comply with the sampling methodology found in 40 C.F.R. 136, state when such change was implemented and provide any supporting documentation showing when such change occurred and what the change consisted of. If no such change was made, state so.
- c. If R-Squared installed a totalizer device to continuously monitor effluent flow, state the date such device was installed. If no such device was installed, state so.

3. The following question relates to Questions 3 and 5 in the NOV:

- a. Provide any and all monitoring records and chain of custody forms for each measurement or sample required by condition R-1 the Permit, including oil and grease, pH log and calibration, and temperature, since March 2014. Where available, please include the following information:
 - i. the exact place, date and time of sampling;
 - ii. the dates the analyses of samples were performed
 - iii. the names of the person(s) who performed the analyses
 - iv. the analytical techniques, procedures or methods used; and
 - v. the results of all required analyses.

4. The following question relates to Question 4 in the NOV:

- a. Provide any and all applications for a permit and/or notices of new or increased discharge submitted by R-Squared to the Mississippi Environmental Quality Permit Board since March 2014.

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.